

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROBERT WADE FERGUSON and
WENDY THOMPSON FERGUSON,

Plaintiffs,

VS.

THE BANK OF NEW YORK MELLON
CORP.fka THE BANK OF NEW YORK, *et al.*,

Defendants.

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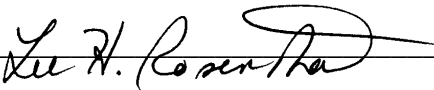
CIVIL ACTION NO. H-13-279

ORDER

This case was administratively closed during the automatic stay imposed when the plaintiffs filed for bankruptcy protection. Relief from the stay was granted, and the plaintiffs have moved to set aside the stay and administrative closing and to reinstate the case to the active docket. (Docket Entry No. 6). The motion to reinstate is granted, and this case is reinstated to the active docket.

The plaintiffs have filed an amended complaint, (Docket Entry No. 7), which the defendants have moved to dismiss, (Docket Entry No. 8). The defendants have responded. (Docket Entry No. 9). The motion to dismiss filed before the bankruptcy and amended complaint were filed, (Docket Entry No. 3), is moot.

SIGNED on June 23, 2014, at Houston, Texas.



Lee H. Rosenthal
United States District Judge